

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

IN THE MATTER OF:

Temporary License Application  
Event: National Cherry Blossom Festival      Fact-Finding  
Date of Event: April 5, 2014      Hearing  
Applicant: Elissa M. Staley  
Neighborhood: 800 Water St., SW  
Size of Event: 25,000  
Attendees

March 26, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
MIKE SILVERSTEIN, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member

ALSO PRESENT:

JASON PERU, ABRA Investigator

1 P-R-O-C-E-E-D-I-N-G-S

2 (10:07 a.m.)

3 CHAIRPERSON MILLER: So that  
4 completes our status cases, unless there are  
5 any parties that arrived late for any of the  
6 cases that I called. All right.

7 Okay. Then we go to a Fact-  
8 Finding Hearing for National Cherry Blossom  
9 Festival. So good morning.

10 INVESTIGATOR PERU: Hey, good  
11 morning. How are you doing?

12 CHAIRPERSON MILLER: Good. How  
13 are you?

14 INVESTIGATOR PERU: Good.

15 CHAIRPERSON MILLER: Great. When  
16 you are ready if you would introduce yourself  
17 for the record?

18 INVESTIGATOR PERU: Investigator  
19 Jason Peru with ABRA.

20 CHAIRPERSON MILLER: Okay. Great.

21 MS. STALEY: Elissa Staley with  
22 the National Cherry Blossom Festival.

1 MR. NICKERSON: Jerome Nickerson  
2 with the Washington Waterfront Association.

3 CHAIRPERSON MILLER: Okay. Thank  
4 you. Okay. So welcome back. I think you  
5 have been doing this many years, correct?

6 MR. NICKERSON: I have, Madam  
7 Chairman, but the festival is now directly  
8 produced by the National Cherry Blossom  
9 Foundation, so I'm going to allow Ms. Staley  
10 to do the presentation, because she is the  
11 applicant this year for the one day license.

12 CHAIRPERSON MILLER: Okay. So we  
13 have a different applicant. Then if you know,  
14 are you going to give an overview? That would  
15 be great.

16 MS. STALEY: Okay.

17 CHAIRPERSON MILLER: And then if  
18 you happen to know how it is different this  
19 year from last year --

20 MS. STALEY: Okay.

21 CHAIRPERSON MILLER: -- we would  
22 focus on that, too.

1 MS. STALEY: Sure.

2 CHAIRPERSON MILLER: Okay.

3 MS. STALEY: So on Saturday, April  
4 5th, as part of the National Cherry Blossom  
5 Festival, from 1:00 to 9:00 p.m. we will have  
6 three areas of programming along 600 to 900  
7 Water Street, S.W., following a similar format  
8 in previous years.

9 Two areas that are family-friendly  
10 with hands-on activities and performance  
11 stages. And then in the larger former Castle  
12 Stadium site that is enclosed by an 8 foot  
13 fence around the entire perimeter, we will  
14 have our main stage, food trucks and art  
15 market and the beer service and sales area.

16 At every entrance into that arena,  
17 we will have a security guard paired with  
18 three volunteers during daytime hours. And  
19 then during peak hours, we will increase the  
20 number of people that are allocated at those  
21 entrances.

22 In the past, our beer service was

1     only in one section of the arena and this year  
2     to alleviate some of the crowding we have had  
3     in the past in that area and to make use of  
4     the existing fence that can serve as a  
5     barrier, we would like to expand service of  
6     alcohol through the whole stadium area, so  
7     that someone could take it from where they  
8     purchased their beer to sit in front of the  
9     stage and enjoy a performance, for example.

10                 We will follow a typical protocol  
11     with posting signs at the entrances. We will  
12     also have, as ordered by Commander Brown of  
13     District 1D when we met with him to review our  
14     safety and security plan, bag check at any  
15     time anyone is entering the arena, which is  
16     where alcohol is served.

17                 The event will culminate with  
18     fireworks that begin at 8:30 p.m. and, of  
19     course, the event concludes at 9:00 p.m.

20                 In terms of our beverage sales,  
21     it's our intention to start at 1:00 p.m. and  
22     conclude at 8:30 p.m., so 30 minutes prior to

1 the close of the event. It is our plan to  
2 make announcements starting at 8:00 that last  
3 call is approaching, to stop ticket sales at  
4 8:15 and all service of alcohol will  
5 completely stop by 8:30 p.m.

6 MEMBER SHORT: What time was that  
7 again?

8 MS. STALEY: Pardon?

9 MEMBER SHORT: The time, times?

10 MS. STALEY: Of the overall event?

11 MEMBER SHORT: No. Alcoholic  
12 purchase stops, start and stop?

13 MS. STALEY: The start of sales is  
14 1:00 p.m., the close is 8:15 technically,  
15 because we are no longer -- at 8:30, no one is  
16 allowed to buy a ticket, so sales would stop  
17 at 8:15, but we would serve, because the  
18 process is for someone to approach an ID check  
19 tent, get their ID checked, purchase a ticket  
20 and then go bring a ticket to the sales area.

21 So by 8:15, no one can get any  
22 more tickets to purchase alcohol and then the

1 service of the actual alcohol will stop  
2 completely at 8:30.

3 MEMBER SHORT: Thank you.

4 MS. STALEY: Um-hum. Let's see,  
5 what else? Okay. So in addition to those  
6 policies, at our ID check locations we have  
7 TIPS-trained volunteers that will be reviewing  
8 IDs, working in pairs, so that one is checking  
9 the ID, the second one is confirming. We will  
10 also have wristbands on folks once their age  
11 has been confirmed and trained all of our on-  
12 site volunteers to request identification,  
13 even if they have already been checked and  
14 have a wristband, to ensure that there is no  
15 doubt about the age of the person attempting  
16 to receive alcohol.

17 In addition, again, as part of the  
18 security measures, we are training volunteers  
19 to be looking for people either trying to  
20 attempt to bring any outside liquids inside  
21 and then if someone is trying to leave the  
22 venue, to make sure that any alcoholic

1 beverages are disposed of or consumed prior to  
2 leaving.

3 CHAIRPERSON MILLER: Great. Okay.  
4 I just have a few questions and then I'll open  
5 it up to everybody else.

6 MS. STALEY: Absolutely.

7 CHAIRPERSON MILLER: Are you just  
8 selling beer or are you selling beer and wine?

9 MS. STALEY: Beer strictly. We  
10 are working with Kieran, as they are a sponsor  
11 of this event. They are debuting a beer  
12 slushie, which I'm told is just serving the  
13 beer with a little icy coating on top.

14 CHAIRPERSON MILLER: Okay.

15 MS. STALEY: So we will be doing  
16 that as well.

17 CHAIRPERSON MILLER: And is it  
18 just one place where the beer is sold or do  
19 you have more than one place?

20 MS. STALEY: One place where the  
21 beer is sold.

22 CHAIRPERSON MILLER: Okay.



1 MS. STALEY: And then two ID check  
2 locations, just to try to, you know, be more  
3 effective in reaching people's needs in  
4 checking IDs.

5 CHAIRPERSON MILLER: Is there  
6 anything different that you know of between  
7 this year and last year?

8 MS. STALEY: The main differences  
9 are that we are expanding the area where we  
10 would allow people to carry alcohol and then  
11 we added a second ID check location, because  
12 we have experienced large lines and crowds and  
13 our thought is that this would also help just  
14 generally checking the site to make sure that  
15 anyone that has a cup has a wristband, that  
16 they have been IDed, just to make the  
17 operation a little stronger.

18 Can you think of any other --

19 CHAIRPERSON MILLER: What time are  
20 the fireworks?

21 MS. STALEY: 8:30 p.m.

22 CHAIRPERSON MILLER: Okay. Okay.

1 Questions? Mr. Brooks?

2 MEMBER BROOKS: Yes. I would love  
3 to learn about the amount of security that you  
4 are going to have.

5 MS. STALEY: Um-hum.

6 MEMBER BROOKS: I see here it's  
7 total of 22. Is that correct?

8 MS. PHILLIPS: There are 15 that  
9 are private security guards that we are  
10 hiring. In addition, MPD is allocating an  
11 additional six officers and one sergeant on  
12 the event site. In addition, Gangplank Marina  
13 also has a crew of security and I don't know  
14 if you want to speak to that at all?

15 MR. NICKERSON: The marina has its  
16 own security force and so we are going to  
17 supplement that with an additional three  
18 officers pursuant to the Commander's request  
19 at 1D. We are also installing three more CCTV  
20 cameras on the venue. Typically, we have had  
21 one in the past. He has asked us to increase  
22 that and so we are increasing it and those are

1 monitored from a control room at the marina.

2 And then the marina security is in  
3 contact with the MPD Reimbursable Detail.  
4 They are also in contact with the private  
5 security. We all operate on Marine vhf Radio,  
6 Channel 72. And so we are all in touch.

7 MEMBER BROOKS: Okay. So that  
8 brings the total to what amount on-site?

9 MR. NICKERSON: 22 private and  
10 reimbursable detail.

11 MEMBER BROOKS: 22? Still 22?

12 MR. NICKERSON: It's 22. Excuse  
13 me, Board Member, plus three, so we are at 25.

14 MEMBER BROOKS: 25, okay. And you  
15 are expecting, approximately, 25,000 people?

16 MS. STALEY: Throughout the day,  
17 um-hum.

18 MEMBER BROOKS: Throughout the  
19 day.

20 MS. STALEY: Correct. Total  
21 attendance.

22 MEMBER BROOKS: So at any given

1     time, how many people do you anticipate would  
2     be at the venue?

3                   MR. NICKERSON:  It is a graduated  
4     type of event.  If the weather is good, you  
5     will have low numbers, no more than 1,000 or  
6     2,000 at the principal venue, which is the  
7     stadium.  As the day progresses inside the  
8     stadium and the service area that we are  
9     talking about, as we get closer to the  
10    fireworks, approximately, an hour from the  
11    fireworks, I would anticipate with good  
12    weather about 3,500 to 4,000 people.

13                   In addition to our venue, what  
14    happens is the family members and just people  
15    that are coming down, they begin to set up  
16    their seats along the waterfront itself,  
17    that's outside of our venue, but we understand  
18    and we are trying to address crowd control.  
19    That area could fill up.  So when you take  
20    along the main bulkhead, you take our venues,  
21    you take the areas in between our venues where  
22    people are coming in, on a good day, we, at

1 the fireworks, could be looking at 25,000  
2 people.

3 MEMBER BROOKS: Okay. Okay. I  
4 don't think I have any other questions, but  
5 I'll defer to someone else if they have  
6 questions.

7 CHAIRPERSON MILLER: Yes, Mr.  
8 Short?

9 MEMBER SHORT: Yes. Again, I see  
10 you have a severe weather plan.

11 MS. STALEY: Um-hum.

12 MEMBER SHORT: Has that been  
13 coordinated with the fireworks display and the  
14 Fire Marshal's Office?

15 MS. STALEY: The fireworks is  
16 undergoing the permit process with the  
17 fireworks company. That is directed by Diana  
18 Mayhew, who is the festival president, but I  
19 personally do not make the call on that. But,  
20 of course, we are in touch with them to, you  
21 know, determine if it's appropriate to have  
22 fireworks, you know, with the weather and

1 conditions.

2 MR. NICKERSON: If I just may?

3 MS. STALEY: Do you have  
4 additional insight?

5 MR. NICKERSON: Yeah. There is a  
6 shoot, no shoot decision that is made based on  
7 the weather conditions as we are approaching  
8 the time that they are going to set off  
9 factors, wind factors and other weather  
10 conditions. The barge from where the  
11 fireworks are set off are actually  
12 substantially away from our venue.

13 They are on a barge in the middle  
14 of the Washington Channel and it is down  
15 channel. The Metropolitan Police Harbor  
16 Patrol closed the channel, so that there is no  
17 movement of vessels as we approach the shoot.

18 The Severe Weather Plan was  
19 adopted because of unfortunate incidents that  
20 have happened in the midwest where there was  
21 a fast moving front and participants at a  
22 music festival had knowledge the front was

1 coming in, but they did not evacuate the  
2 venue. So we are trying to take lessons  
3 learned from that, so that we can evacuate our  
4 venue if we see a fast moving front.

5 And I guess it was four years ago  
6 we did have a fast moving front approach. We  
7 had a hail storm for the start of our event,  
8 so we are trying to bring these items  
9 together.

10 MEMBER SHORT: Thank you very  
11 much.

12 CHAIRPERSON MILLER: Mr.  
13 Rodriguez?

14 MEMBER RODRIGUEZ: Yes, sir. The  
15 Cherry Blossom is a favorite event. And I'll  
16 probably be there celebrating with you. But  
17 I have -- could you summarize for us how you  
18 are going to ensure that minors are not being  
19 served liquor? Just give us a short summary.

20 MR. NICKERSON: Yes, sir. So in  
21 addition to the security that we have  
22 previously discussed and in addition to the

1 concentration of TIPS trained volunteers that  
2 are inside of the service area, we will  
3 actually -- we will, in addition, have roving  
4 teams within the area, the increased area  
5 where it is now permissible to consume  
6 alcohol.

7 So these will consist of two  
8 members. We will have five two member teams  
9 that are walking the venue. And what they are  
10 specifically looking for is the presence of a  
11 wristband. And if they -- if we have a colder  
12 day, we are going to ask to see the wristband.  
13 If we don't see a wristband and the individual  
14 has a cup that we recognize as our cup,  
15 because it's our -- we are going to ask that  
16 individual to, please, produce the appropriate  
17 identification right there.

18 If that individual refuses to  
19 produce identification, then we are going to  
20 request that security join us, that the  
21 alcohol be removed and that that individual be  
22 escorted off of the venue.



1                   In addition to that, these roving  
2                   teams will be looking for signs of  
3                   intoxication that someone has been served too  
4                   much and that they need to be cut off and  
5                   perhaps removed from the venue.

6                   So it is a combination of the  
7                   roving teams and at point of service and a  
8                   double ID check with respect to point of sale  
9                   right at the point where the wristband is  
10                  being placed. It has worked very good. I  
11                  have done this festival for four years. I  
12                  have permitted it on a one day permit before  
13                  the Board on three occasions.

14                  It has worked pretty well. I  
15                  think the addition of the roving teams will  
16                  help us with the increased service area.

17                  MEMBER RODRIGUEZ: Thank you, sir.

18                  CHAIRPERSON MILLER: Okay.

19                  Others? Mr. Peru?

20                  INVESTIGATOR PERU: Yes. Just a  
21                  couple questions.

22                  CHAIRPERSON MILLER: Um-hum.

1                   INVESTIGATOR PERU: Forgive me  
2                   ahead of time, I didn't read through all of  
3                   this. I just received it from you guys. So  
4                   the alcohol, you said only beer?

5                   MS. STALEY: Um-hum.

6                   INVESTIGATOR PERU: And being  
7                   supplied by who?

8                   MS. STALEY: It's through Capital  
9                   Eagle Distributing by Kieran?

10                  INVESTIGATOR PERU: And that's  
11                  going to be delivered on which day?

12                  MS. STALEY: The day of the event  
13                  early on Saturday, April 5th.

14                  INVESTIGATOR PERU: Okay. And I  
15                  notice you also -- you mentioned that this is  
16                  different than other years --

17                  MS. STALEY: Um-hum.

18                  INVESTIGATOR PERU: -- because of  
19                  the -- I guess the area is expanded, you said?

20                  MS. STALEY: Correct.

21                  INVESTIGATOR PERU: You mentioned  
22                  -- so with all area being -- there is

1 basically no designated alcohol area, correct?

2 It's kind of just --

3 MS. STALEY: That part of the  
4 venue is the designated alcohol area and it's  
5 enclosed within an 8 foot fence. So what you  
6 are pointing at --

7 INVESTIGATOR PERU: So no --

8 MS. STALEY: -- right now is the  
9 whole area where alcohol is permitted.

10 INVESTIGATOR PERU: Okay. So no  
11 one inside this area should be under 21,  
12 correct?

13 MS. STALEY: We are allowing the  
14 entry of people under 21.

15 INVESTIGATOR PERU: Okay.

16 MS. STALEY: And that's why we are  
17 having roving teams to check for the  
18 wristbands. If they see someone with a cup,  
19 you know, and they have any doubt of their  
20 age, we are encouraging people to check IDs.

21 INVESTIGATOR PERU: So how is it  
22 the cup identifiable? I'm just curious.

1                   MR. NICKERSON:  It's a Kieran  
2                   branded cup?  So that's our cup.  It's  
3                   translucent, so that we can see the actual  
4                   color of the beer.  We know what Kieran looks  
5                   like.  We are sensitive to some individuals  
6                   may try and bring beverage into our venue.

7                   The Commander is also sensitive  
8                   about that.  He has initiated bag checks.  
9                   These bag checks are specifically designed to  
10                  discourage people from trying to bring alcohol  
11                  onto the venue and that is what we are looking  
12                  for.

13                  INVESTIGATOR PERU:  Okay.  So the  
14                  only cups that should have beer are going to  
15                  be Kieran brand cups, correct?

16                  MS. STALEY:  Correct.

17                  MR. NICKERSON:  Correct.

18                  INVESTIGATOR PERU:  Okay.  And I  
19                  guess the only other question or maybe I  
20                  missed it, security.  They are going to be in  
21                  uniforms, identifiable?  How is that going to  
22                  work?

1 MS. STALEY: The paid security  
2 staff will be in their company's uniform. And  
3 then in addition we will have volunteers that  
4 will be supplementing in green volunteer  
5 shirts. And then, of course, MPD is also on-  
6 site, off-duty officers.

7 INVESTIGATOR PERU: Okay.

8 MR. NICKERSON: And the TIPS  
9 trained staff will have special TIPS trained  
10 designations, so that the festival staff  
11 understands who has gone through TIPS  
12 training, who hasn't and that only TIPS  
13 trained individuals are involved in the roving  
14 teams and asking individuals identification.

15 INVESTIGATOR PERU: Okay. And are  
16 employees allowed to participate and consume  
17 spirits?

18 MR. NICKERSON: Not during hours  
19 of service.

20 MS. STALEY: Not if they are  
21 working.

22 INVESTIGATOR PERU: Okay. And the

1 fee to get into this festival?

2 MR. NICKERSON: It's open.

3 There's no fee.

4 MS. STALEY: It's a free event.

5 INVESTIGATOR PERU: Oh, it's a  
6 free event?

7 MS. STALEY: Um-hum.

8 INVESTIGATOR PERU: Okay. All  
9 right. I think that's it.

10 CHAIRPERSON MILLER: Great.

11 Questions? I just have one question. The  
12 25,000 estimate, is that based on previous  
13 years? Is that a pretty constant number?

14 MR. NICKERSON: Based on previous  
15 years.

16 MS. STALEY: Um-hum.

17 MR. NICKERSON: And it's highly  
18 dependent, Madam Chair, on weather.

19 CHAIRPERSON MILLER: Right.

20 MR. NICKERSON: Right now, the  
21 weather looks good. It looks like 61 degrees.

22 CHAIRPERSON MILLER: Good.

1                   MR. NICKERSON:  If it got warmer,  
2                   it could go higher.

3                   CHAIRPERSON MILLER:  Or else it  
4                   could snow.

5                   MS. STALEY:  Right.

6                   MR. NICKERSON:  Yeah.  And we --

7                   CHAIRPERSON MILLER:  No cherry  
8                   blossoms.

9                   MR. NICKERSON:  Right.

10                  CHAIRPERSON MILLER:  All right.  
11                  Okay.  If there is nothing else then, I would  
12                  move that we approve this application.  Do I  
13                  have a second?

14                  MEMBER BROOKS:  Second.

15                  CHAIRPERSON MILLER:  Mr. Brooks  
16                  has seconded the motion.

17                  All those in favor say aye.

18                  ALL:  Aye.

19                  CHAIRPERSON MILLER:  All those  
20                  opposed?  All those abstaining?  Okay.  The  
21                  motion passes 4-0-0.  We are just going to  
22                  sign off on this now.

1 MR. NICKERSON: Thank you, Madam  
2 Chairman.

3 MS. STALEY: Thank you.

4 CHAIRPERSON MILLER: Thank you.  
5 Have a great festival.

6 MS. STALEY: Thank you.

7 CHAIRPERSON MILLER: We are  
8 signing off on the papers right now.

9 (Whereupon, the Fact-Finding  
10 Hearing in the above-entitled matter was  
11 concluded at 10:26 a.m.)

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